IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4688 OF 1995

Ramchandra Govind Pilankar ..Petitioner.

V/s.

Purshottam Govind Pilankar ..Respondent.

None appears either for petitioner or for respondent.

CORAM : R.V.MORE, J.

DATED : 18TH JUNE, 2007.

P.C. :-

By the impugned order in the petition, the petitioner's application at Exhibit 98 to amend the plaint is rejected. Initially this Court issued notice before admission and thereafter Rule was granted on 13/2/1996. The stay to the further proceeding of the suit was not granted, though claimed. The application to amend the plaint came to be rejected by the trial Court on the ground that the application is preferred after the evidence of both the parties is closed. Most probably the 1992 suit by now must have been disposed of. Neither the petitioner nor the respondent appear in spite of due service. Therefore, I have no alternative but to dismiss the petition for default. Petition is disposed of. Rule stands discharged. No order as to costs.

(R.V.MORE, J.)